

Henry G. Burnett (HB 3273)  
 Sarah E. O'Connell (SO 0928)  
 Fulbright & Jaworski L.L.P.  
 666 Fifth Avenue  
 New York, New York 10103  
 Telephone: (212) 318-3000  
 Facsimile: (212) 318-3400

*Attorneys for Plaintiff AT&T Corp.*

IN THE UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF NEW YORK

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AT&T CORP.,	:	
	:	
<i>Plaintiff,</i>	:	07 CV 6544 (LAK)
	:	
-against-	:	<b>AFFIDAVIT OF SUZANNE L.</b>
	:	<b>MONTGOMERY IN SUPPORT</b>
NIGERIAN TELECOMMUNICATIONS,	:	<b>OF MOTION FOR ENTRY OF</b>
PLC,	:	<b><u>DEFAULT JUDGMENT</u></b>
	:	
<i>Defendant.</i>	:	
-----X		
STATE OF NEW JERSEY )		
)	ss.:	
COUNTY OF SOMERSET )		

**SUZANNE L. MONTGOMERY**, being duly sworn, deposes and says:

1. I am a Senior Attorney – Litigation for AT&T Services, Inc. and provide legal services for affiliates of AT&T Services, Inc., including Plaintiff AT&T Corp. (“AT&T”). I am a member of the Bar of the State of Missouri, the Bar of the State of Illinois (voluntary inactive status), and the Bar of the State of New Jersey (limited in-house license). I submit this Affidavit in support of AT&T’s Motion for a Default Judgment against Defendant Nigerian Telecommunications, plc (“NiTel”) pursuant to Fed. R. Civ. P. 55(b) and Local Rule 55.2 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York. I am familiar with all the facts and circumstances in this action.

2. On July 20, 2007, AT&T filed a complaint in the above-captioned action naming NiTel as a defendant therein. On that date I sent a copy of the summons, complaint, Rule 7.1 disclosure statement and civil cover sheet to the General Counsel of NiTel, Hadiza Dagabana-Sani, by electronic mail. A copy of my July 20, 2007 e-mail to Ms. Dagabana-Sani, with attachments, is attached hereto as Exhibit 1.

3. Ms. Dagabana-Sani responded to my e-mail on July 27, 2007, thereby confirming that she had notice of the instant action. A copy of Ms. Dagabana-Sani's July 27, 2007 response is attached hereto as Exhibit 2.

4. I engaged in further e-mail correspondence with Ms. Dagabana-Sani between August 1 and August 16, 2007.

5. On September 18, 2007, I sent an e-mail to Ms. Dagabana-Sani attaching an Order re Scheduling and Initial Pretrial Conference, setting a conference for October 4, 2007. I also attached a letter that Fulbright & Jaworski L.L.P., counsel for AT&T, sent to Judge Kaplan requesting that the initial pre-trial conference be adjourned until service on NiTel was complete. A copy of my September 18, 2007 e-mail, with attachments, is attached hereto as Exhibit 3.

6. On October 8, 2007, I sent an e-mail to Ms. Dagabana-Sani attaching an email received from Judge Kaplan's chambers setting the initial pre-trial conference for November 5, 2007. A copy of my October 8, 2007 e-mail is attached hereto as Exhibit 4.

7. On November 2, 2007, I sent an e-mail to Ms. Dagabana-Sani attaching an e-mail from Judge Kaplan's chambers regarding the initial pre-trial conference set for November 5, 2007, and a letter from Fulbright & Jaworski L.L.P. to Judge Kaplan requesting that the

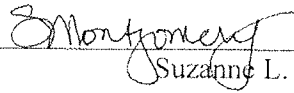
conference be postponed until after December 31, 2007, the date by which NiTel needed to appear in the action. A copy of my November 2, 2007 e-mail, with attachments, is attached hereto as Exhibit 5.

8. On November 5, 2007, I sent an e-mail to Ms. Dagabana-Sani attaching an e-mail from Judge Kaplan's courtroom deputy adjourning the initial pre-trial conference until January 11, 2007. A copy of my November 5, 2007 e-mail, with attachment, is attached hereto as Exhibit 6.

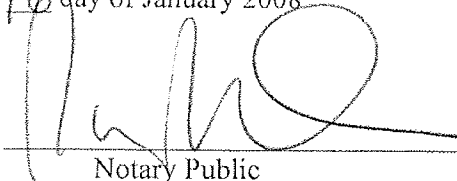
9. On January 6, 2008, I sent an e-mail to Ms. Dagabana-Sani stating that NiTel had been served on October 2, 2007. I reminded Ms. Dagabana-Sani that the summons granted NiTel ninety days to respond to the lawsuit, and that the 90-day period expired on December 31, 2007. I advised Ms. Dagabana-Sani that if NiTel did not file a response by the close of business in New York on Wednesday, January 9, 2008, that AT&T would seek a default judgment from the Court. A copy of my January 6, 2008 e-mail, with attachments, is attached hereto as Exhibit 7.

10. On January 8, 2008, I received an e-mail from Ms. Dagabana-Sani in response to my January 6, 2008 e-mail. In her response Ms. Dagabana-Sani advised that she believed that the issues between AT&T and NiTel could be resolved without recourse to the courts. A copy of the January 8, 2008 e-mail from Ms. Dagabana-Sani is attached hereto as Exhibit 8.

11. All of the e-mails that I sent to Ms. Dagabana-Sani were sent to the same e-mail address: [hdagabana-sani@transcorp-nigeria.com](mailto:hdagabana-sani@transcorp-nigeria.com). Further, all responsive e-mails from Ms. Dagabana-Sani were sent from the same address in the preceding sentence.

  
Suzanne L. Montgomery

Sworn to before me this  
16 day of January 2008

  
Notary Public

